

EXHIBIT

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From: Maxwell Pritt
Sent: Thursday, July 06, 2017 8:20 PM
To: Jeff Nardinelli; John Cooper; Matthew Cate; UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; DG-GPOttoTruckingWaymo@goodwinlaw.com
Cc: QE-Waymo
Subject: RE: Statement on RFP Search Scope

Jeff,

Andrea said on this morning's meet and confer that she'd try to get back to us by 4:00 p.m. today with a list of the RFPs for which Waymo applied its general objection and interpreted "You" or "Waymo" to mean Waymo only (and not Google/Alphabet), and for which Waymo limited its search to Waymo documents and excluded Google/Alphabet documents. She also said she'd try to get back to us at that time about whether any of the non-custodial sources you searched were limited to Waymo and excluded Google/Alphabet. Please let us know when we will receive a response.

Once Waymo has identified the list of RFPs for which it limited its search to Waymo and excluded Google/Alphabet (e.g., RFP 3, 95), please let us know if Waymo will withdraw its limitation in light of Judge Corley's order from this morning: "The Court understands that Waymo has represented that it will not object to any discovery request on the grounds that the responsive documents are in the possession, custody or control of Google or Alphabet." If not, we will need to inform Judge Corley.

Thanks,
Max

From: Jeff Nardinelli [<mailto:jeffnardinelli@quinnemanuel.com>]
Sent: Thursday, July 06, 2017 8:16 PM
To: John Cooper; Matthew Cate; UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; DG-GPOttoTruckingWaymo@goodwinlaw.com
Cc: QE-Waymo
Subject: Statement on RFP Search Scope

John and Counsel,

I was traveling during this morning's call but I understand from my colleagues that Waymo has agreed to provide a list of each RFP in response to which Waymo only searched "Waymo" files for documents. As we've explained many times, Waymo has not argued that it has been unable to locate a document because it is a "Google" document. But I understand that Uber now asks for something different. I understand that Uber now asks not whether Waymo was unable to locate documents, but whether Waymo did not search for documents, such as on relevance or burden grounds.

If my understanding is incorrect, please let me know. Assuming that is correct, I'll have an answer by tomorrow.

Thanks,
Jeff

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